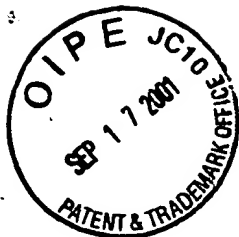


Date of Deposit: 9/17/01



Attorney Docket No. 17564-145

#3

**REISSUE APPLICATION DECLARATION BY THE INVENTOR  
PURSUANT TO 37 C.F.R. §1.175**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is described and claimed in U.S. Patent No. 5,891,212, granted April 6, 1999, and for which a reissue patent is sought on the invention entitled:

**APPARATUS AND METHOD FOR  
MAKING UNIFORMLY SIZED AND SHAPED SPHERES**

the specification of which:

- ☒ was filed on April 6, 2001, as reissue application Serial No. 09/827,605, bearing attorney docket no. 17564-145, and was amended by preliminary amendment on April 6, 2001.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. §1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid by reason of the patentee claiming less than he had the right to claim in the patent.

At least one error upon which reissue is based is described below.

The reissue application is a broadening reissue application. Claims 1 and 16 have been amended to more broadly recite the manner in which the stream of material is broken into spheres and to remove a step of passing of the spheres through an electric field. The amendments merely remove unnecessary limitations from claims 1 and 16. Support for these amendments to claims 1 and 16 is provided in the original disclosure.

Reissue Application Declaration  
U.S. Patent No. 5,891,212  
Attorney Docket No. 17564-145

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith:

Kevin Ainsworth, Registration No. 39,586  
Ingrid Beattie, Registration No. 42,306  
William Belanger, Registration No. 40,509  
Duane Blake, Registration No. 47,279  
Naomi Biswas, Registration No. 38,384  
Yong Choi, Registration No. 43,324  
David F. Crosby, Registration No. 36,400  
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Ivor R. Elrifi, Registration No. 39,529  
Heidi A. Erlacher Reg. No. P-45,409  
Christina Gadiano, Registration No. 37,628  
Richard Gervase, Registration No. P-46,725  
John A. Harre, Registration No. 37,345  
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Brian Rosenbloom, Registration No. 41,276  
Robert Sayre, Registration No. 42,124  
Thomas M. Sullivan, Registration No. 39,392  
Janine Susan, Registration No. 46,119  
Howard Susser, Registration No. 33,556

Reissue Application Declaration  
U.S. Patent No. 5,891,212  
Attorney Docket No. 17564-145

Please address all telephone calls to Thomas M. Sullivan at telephone number 617/348-1661, and all correspondence to:

Thomas M. Sullivan  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
One Financial Center  
Boston, Massachusetts 02111  
Fax: 617/542-2241

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

\_\_\_\_\_  
Inventor's Signature

Full Name of Inventor: Jie Tang

Citizenship:

Residence:

Post Office Address:

\_\_\_\_\_  
Date

Gary B. Hess

\_\_\_\_\_  
Inventor's Signature

Full Name of Inventor: Gary B. Hess

Citizenship:

Residence:

Post Office Address:

8-26-01

\_\_\_\_\_  
Date

\_\_\_\_\_  
Inventor's Signature

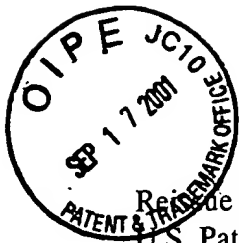
Full Name of Inventor: Mark D. Muszynski

Citizenship:

Residence:

Post Office Address:

\_\_\_\_\_  
Date



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Residue Application Declaration  
U.S. Patent No. 5,891,212  
Attorney Docket No. 17564-145

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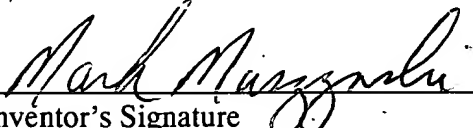
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\_\_\_\_\_  
Inventor's Signature  
Full Name of Inventor: Jie Tang  
Citizenship:  
Residence:  
Post Office Address:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Inventor's Signature  
Full Name of Inventor: Gary B. Hess  
Citizenship:  
Residence:  
Post Office Address:

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Inventor's Signature  
Full Name of Inventor: Mark D. Muszynski  
Citizenship: U.S.  
Residence:  
Post Office Address:

  
\_\_\_\_\_  
Date

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MANCHESTER, MI 48158

Reissue Application Declaration  
U.S. Patent No. 5,891,212  
Attorney Docket No. 17564-145



Inventor's Signature

Full Name of Inventor: Thomas S. Goehring

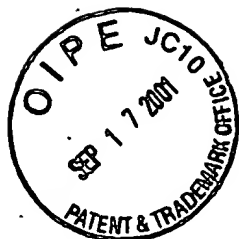
Citizenship:

Residence:

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9-5-01

Date



Attorney Docket No. 17564-145

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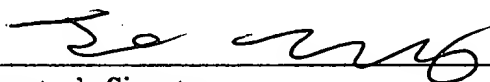
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 \_\_\_\_\_ 917101  
 Inventor's Signature Date  
 Full Name of Inventor: Jie Tang  
 Citizenship: China  
 Residence: 1750 Creek View Dr., Fogelsville, PA 18051  
 Post Office Address:

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 Inventor's Signature Date  
 Full Name of Inventor: Gary B. Hess  
 Citizenship:  
 Residence:  
 Post Office Address:

\_\_\_\_\_  
 Inventor's Signature Date  
 Full Name of Inventor: Mark D. Muszynski  
 Citizenship:  
 Residence:  
 Post Office Address:



Reissue Application Declaration  
U.S. Patent No. 5,891,212  
Attorney Docket No. 17564-145

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Inventor's Signature

Full Name of Inventor: Thomas S. Goehring

Citizenship:

Residence:

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Date